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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,321	12/31/2003	Michael D. Kotzin	CS10665	1712

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EXAMINER
LEE, CHUN KUAN

ART UNIT	PAPER NUMBER
2181	

DATE MAILED: 08/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Application No.	Applicant(s)	
Office Action Summary		10/749,321	KOTZIN, MICHAEL D.	:
		Examiner	Art Unit	
		Chun-Kuan (Mike) Lee	2181	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 May 2006</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>17 June 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

FRITZ FLEMING
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
8/15/2006

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Arguments

1.   Applicant's arguments with respect to claim 05/30/2006 have been considered but are moot in view of the new ground(s) of rejection. Currently, claims 1-23 are pending for examination.

2.   In responding to applicant's arguments regarding the rejection of independent claim 1 under 35 U.S.C. § 102 that <u>Raverdy</u> does not teach the claimed limitation "user presence attribute information," wherein the presence information generally takes the form of presence status, which can convey to identify a particular user's current (communication) situation or status, as states on page 7, 2nd paragraph to page 8, 1st paragraph. Applicant's argument has fully been considered, but is found not to be persuasive.

      <u>Raverdy</u> teaches a user device (Fig. 1, ref. 114) utilized by a user and the information associated with the user device's current (communication) situation or status (i.e. user presence attribute information) is located in a server memory (Fig. 5, ref. 516 and Fig. 6) of an event server (Fig. 1, ref. 138 and Fig. 5), wherein the user device's current (communication) situation or status would be transferred and received by the event server's I/O interface (Fig. 5, ref. 520) (i.e. interface unit). The user device's current (communication) situation or status comprises information such as the time-stamp access information stored in and utilized by the access rights manager (Fig.

6, ref. 626; col. 6, II. 62-65 and col. 9, II. 57-62) and the user profile providing

information such as the connection usage traits (col. 7, II. 22-43 and col. 10, II. 18-39)

stored in the user information (Fig. 6, ref. 618 and Fig. 7), wherein the time-stamp

access information provides the information regarding the duration for the connection

(Fig. 9, ref. 940 and col. 11, II. 52-63) is transferred by the event server to the user

device and the connection usage traits in the user profile is received by the event

server, from the user device.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by
another filed in the United States before the invention by the applicant for patent or (2) a patent
granted on an application for patent by another filed in the United States before the invention by the
applicant for patent, except that an international application filed under the treaty defined in section
351(a) shall have the effects for purposes of this subsection of an application filed in the United States
only if the international application designated the United States and was published under Article 21(2)
of such treaty in the English language.

3.   Claims 1, 6-7, 10-11, 15-16 and 19-22 are rejected under 35 U.S.C. 102(e) as

being anticipated by Raverdy et al. (US Patent 6,957,217).

4.   As per claims 1 and 15, Raverdy teaches a presence attribute information server

and a manager application comprising:

        a processor (CPU 512 of Fig. 5);

        an interface unit (I/O interfaces 520 of Fig. 5), coupled to the processor, including

a data input device for receiving (e.g. receive by downloading information from the user

device utilized by the user) user presence attribute information from the user and a

network interface for transmitting (e.g. transmit by uploading information to the user

device) user presence attribute information (col. 8, ll. 43-50), wherein the user presence

attribute information, stored in the server memory (Fig. 5, ref. 516 and Fig. 6),

comprises a plurality of information including the time-stamp access information stored

in and utilized by the access rights manager (Fig. 6, ref. 626; col. 6, ll. 62-65 and col. 9,

ll. 57-62) and the user profile (col. 7, ll. 22-43 and col. 10, ll. 18-39) stored in user

information (Fig. 6, ref. 618 and Fig. 7), wherein the time-stamp access information

provides the information regarding the duration for the connection (Fig. 9, ref. 940 and

col. 11, ll. 52-63) and the user profile provides the information such as the connection

usage traits;

   ₐ a storage unit (server memory 516 of Fig. 5 and Fig. 6), coupled to the interface

unit and the processor (Fig. 5), including user presence attribute information (Fig. 6, ref.

618, 626) and

      associated access authorization information (information stored in and utilized by

the login/configuration manager 620 of Fig. 6 for implementing a login procedure to

initially connect the user device to the event server, therefore the corresponding user

presence attribute information transferred during and after the login procedure must be

associated with the access authorization information) organized and arranged as one or

more entries in a data structure (Fig. 7 and col. 9, ll. 26-43);

      wherein said access authorization entries are each associated with

corresponding user presence attribute information entries (as the user device must

initially login to be connected (Fig. 9, ref. 924), therefore the access authorization

entries must each be associated with the corresponding user presence attribute

information entries for the corresponding logged in user device),

each user presence attribute information entry having a presence attribute value

field (Fig. 6, ref. 618, 626), corresponding to one or more types of presence attributes

(e.g. present attributes including the values associated with the time-stamp access

information and the user profile's usage traits), and

each access authorization information entry having a user field identifying one or

more users (e.g. user data) and one or more access condition entries (col. 7, ll. 22-43

and col. 9, ll. 26-43), wherein the user device must be identified to implement the login

properly, as the user data comprising user profile (Fig. 4, ref. 412), along with the

correct access code is transferred to the event server during the login procedure,

wherein the access condition entries define the conditions when the

corresponding user presence attribute information is available to the corresponding

identified one or more users (col. 9, ll. 26-43), wherein the access condition is the

condition of entering the the correct access code in order for the user presence attribute

information to be available to the user device.

5.   As per claim 6, <u>Raverdy</u> teaches the presence attribute information server

comprising wherein at least one of the one or more access condition entries includes a

proximity relative to a predetermined location (e.g. location profile) (col. 7, ll. 22-43 and

col. 9, ll. 26-43).

6.   As per claim 7, <u>Raverdy</u> teaches the presence attribute information server

comprising wherein the predetermined location includes a specific place (e.g. location)

(col. 7, ll. 22-43 and col. 9, ll. 26-43).

7.   As per claim 10, <u>Raverdy</u> teaches the presence attribute information server

comprising wherein the location is relative to the at least one of item or person (e.g.

user device) associated with the user presence attribute information (col. 4, ll. 48-54,

col. 7, ll. 22-43 and col. 9, ll. 26-43).

8.   As per claim 11, <u>Raverdy</u> teaches the presence attribute information server

comprising wherein the location is relative to the user requesting (e.g. user utilizing the

user device at a particular location) the user presence attribute information (col. 7, ll. 22-

43 and col. 9, ll. 26-56).

9.   As per claim 16, <u>Raverdy</u> teaches the manager application comprising wherein

said interface unit is further adapted for receiving access conditions (e.g. access code

and other user data) associated with one or more users, which are used to formulate

access authorization entries (col. 9, ll. 26-43).

10.   As per claim 19, <u>Raverdy</u> teaches the manager application further comprising a

broadcast unit (e.g. wireless interface), coupled to the interface unit and the storage unit

(col. 8, ll. 23-35), the broadcast unit being adapted to transmit updated user presence

attribute information (e.g. time-stamped access information) to at least one of a

presence attribute information server (Fig. 1, ref. 130, 122) and subscribed users (e.g.

user device (Fig. 1, ref. 114) utilized by the user), that are currently authorized to

receive updates, when the user presence attribute information changes (Fig. 9, ref. 940

and col. 11, ll. 52-63), as the access right of the user device expires the updated

information comprising the termination of the connection is transferred to the LAN then

to the base station and finally to the user utilizing the user device.

11.   As per claim 20, Raverdy teaches the manager application comprising wherein

the broadcast unit includes a set of prestored instructions for execution by the processor

(col. 9, ll. 10-14).

12.   As per claim 21, Raverdy teaches the manager application comprising wherein

the presence attribute information manager application is incorporated as part of a

portable electronic device (col. 4, ll. 48-54).

13.   As per claim 22, Raverdy teaches the manager application comprising wherein

the portable electronic device is a wireless radio frequency telephone (e.g. cellular

telephone device) (col. 4, ll. 48-54).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

14.   Claims 2-5, 13-14 and 23 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Raverdy et al. (US Patent 6,957,217) in view of Wade et al. (US

Patent 5,552,776).

15.   As per claim 2, Raverdy teaches all the limitations of claim 1 as discussed above,

where, Raverdy further teaches the presence attribute information server comprising

selectively providing information to the user device comprising access to various

services and content information based on time-stamped access information (col. 11, ll.

6-63).

Raverdy does not expressly teach the presence attribute information server

comprising wherein at least one of the one or more access condition entries includes a

predetermined period of time to be matched.

Wade teaches a security system and method for controlling access to computing

device comprising matching of a predetermined period of time in order to gain access

into the computing device (Fig. 3; col. 7, ll. 20-46 and col. 9, l. 35 to col. 10, l. 41).

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include <u>Wade</u>'s matching of the predetermined period of time into <u>Raverdy</u>'s presence attribute information server.

Therefore, it would have been obvious to combine <u>Wade</u> with <u>Raverdy</u> for the benefit of providing an enhanced versatile and flexible security control over access of data in a computing device (<u>Wade</u>, col. 2, II. 18-29).

16.   As per claim 3, <u>Raverdy</u> and <u>Wade</u> teach all the limitations of claim 2 as discussed above, where <u>Wade</u> further teaches the presence attribute information server comprising wherein the predetermined period of time includes a time of day (<u>Wade</u>, Fig. 3, col. 7, II. 20-46 and col. 9, I. 35 to col. 10, I. 41).

17.   As per claim 4, <u>Raverdy</u> and <u>Wade</u> teach all the limitations of claim 2 as discussed above, where <u>Wade</u> further teaches the presence attribute information server comprising wherein the predetermined period of time includes a day of the week (<u>Wade</u>, Fig. 3, col. 7, II. 20-46 and col. 9, I. 35 to col. 10, I. 41).

18.   As per claim 5, <u>Raverdy</u> and <u>Wade</u> teach all the limitations of claim 2 as discussed above, where <u>Wade</u> further teaches the presence attribute information server comprising wherein a predetermined period of time includes a point in time identifying the beginning of the predetermined period and a point in time identifying the end of the predetermined period (<u>Wade</u>, Fig. 3, col. 7, II. 20-46 and col. 9, I. 35 to col. 10, I. 41).

19.   As per claims 13-14 and 23, <u>Raverdy</u> teaches all the limitations of claims 1 as

discussed above, where <u>Raverdy</u> further teaches the presence attribute information

server and a method for managing the access to presence attribute information

comprising:

an access validation unit, coupled to the interface unit and the storage unit, the

access validation unit being adapted for validating the received access code and other

user data (col. 9, ll. 26-43);

determining whether the user requesting the information is authorized to have

access to the requested user presence attribute information (Fig. 9, ref. 924, wherein

the user must provide the correct access code and the corresponding user data in order

to have access) including

receiving any conditions (status information) relative to the requesting user

associated with receiving access to the information (col. 9, ll. 26-43), wherein the

received condition comprising the access code and the user data including the

user profile is associated with the at least one of item or person (e.g. user

device), and

determining (comparing) whether the received conditions associated with

receiving access have been met (Fig. 9, ref. 924), wherein the correct access

code and user profile must be provided in order to complete the login procedure;

wherein, if the user has met the conditions associated with receiving access,

then forwarding the user presence attribute information (e.g. time-stamp access

information) to the requesting user (col. 6, II. 62-65); and

wherein the access validation unit includes a set of prestored instructions for

execution by the processor (col. 9, II. 10-14).

Raverdy does not expressly teach the presence attribute information server and

the method for managing the access to presence attribute information comprising:

the access validation unit receiving a request for user presence attribute

information; and

the status information comprising the current time and date.

Wade teaches a security system and method for controlling access to computing

device comprising:

requesting access to a computing device (col. 8, II. 53-65 and col. 16, I. 58 to col.

17, I. 7);

matching of a predetermined period of time in order to gain access into the

computing device (Fig. 3; col. 7, II. 20-46 and col. 9, I. 35 to col. 10, I. 41); and

wherein the period of time include the time of date and date of week (Fig. 3; col.

7, II. 20-46 and col. 9, I. 35 to col. 10, I. 41).

It would have been obvious to one of ordinary skill in this art, at the time of

invention was made to include Wade's request, time of date and date of week into

Raverdy's managing of the access to presence attribute information server.

Therefore, it would have been obvious to combine Wade with Raverdy for reason stated above in claim 2.

20.   Claims 8-9 and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Raverdy et al. (US Patent 6,957,217) in view of Fushiki et al. (US Patent 6,433,704).

Raverdy teaches all the limitations of claims 6 and 15 as discussed above, where Raverdy further teaches the presence attribute information server and the manager application comprising:

a base station coupled to the user device (Figure 1);

the location profiles (col. 7, II. 22-43 and col. 9 line 26-56); and

wherein said interface unit further includes a data output device (display 518 of Fig. 5) for presenting information in an iconic format (Fig. 5)

Raverdy does not expressly teach the presence attribute information server and the manager application comprising:

wherein the predetermined location include the present place;

wherein the proximity corresponds to a predetermined distance;

presenting the condition associated with authorizing access in an iconic format; and

the data input device is further adapted for modifying the conditions being presented by the data output device associated with authorizing access to user presence attribute information associated with one or more users.

Fushiki teaches a system and method comprising:

a communication device comprising of a communication interface, memory and

processor (Fig. 2; Fig. 8; Fig. 10 and col. 4, ll. 24-37);

a longitude and latitude information to represent the present position of the

portable terminal (Fig. 4; Fig. 6; Fig. 9 and col. 7, ll. 4-47); and

a coverage area (e.g. predetermined distance) for the corresponding

communication device (Fig. 7 and col. 6, ll. 33-64);

the display screen (i.e. data output device) presenting requested information in

an iconic format through using graphic user interface (GUI) for data inputting (Fig. 12

and col. 9, ll. 4-44); and

the GUI is adapted to modify the requested information being presented by the

display screen (Fig. 12 and col. 9, ll. 4-44).

It would have been obvious to one of ordinary skill in this art, at the time of

invention was made to include Fushiki's longitude and latitude information, coverage

area, presenting the requested information and the input device modifying the data

presented by the output device into Raverdy's the presence attribute information server

and the manager application. The resulting combination of the references teaches the

presence attribute information server and the manager application comprising:

wherein the predetermined location includes the longitude and latitude

information;

wherein the proximity corresponds to the coverage area;

presenting the requested information in an iconic format, wherein the receiving of

the requested information shows that the authorization access must been approved as

user device is properly logged in; and

the GUI would modify the what is being presented by the display screen, wherein

the request data would be displayed only of the user device is properly logged in,

therefore the presented information would be associated with authorizing access to user

presence attribute information associated with one or more users utilizing the user

device.

Therefore, it would have been obvious to combine <u>Fushiki</u> with <u>Raverdy</u> for the

benefit of enabling accurate determination of the position of the user device globally.

21.   Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Raverdy</u>

<u>et al.</u> (US Patent 6,957,217) in view of <u>Kruse et al.</u> (US Patent 6,684,279).

<u>Raverdy</u> teaches all the limitations of claims 6 and 15 as discussed above, where

<u>Raverdy</u> further teaches the presence attribute information server comprising:

wherein the user information contains access conditions (e.g. user data of Fig. 4)

for the associated user presence attribute information (col. 9, ll. 26-56); and

determining whether the user device is authorized or precluded to access the

associated user presence attribute information during the login procedure (Fig. 9, ref.

924).

<u>Raverdy</u> does not expressly teach the presence attribute information server

comprising wherein access condition entries include a flag which, when an access

condition is met, identifies whether access to the associated presence information is authorized or precluded.

Kruse teaches a method and apparatus for controlling data transfer comprising setting a flag when a condition is met, which identifies whether the access to a bus is authorized or precluded (Fig. 11 and col. 22, ll. 30-43)

It would have been obvious to one of ordinary skill in this art, at the time of invention was made to include Kruse's flag into Raverdy's access condition entries.

Therefore, it would have been obvious to combine Kruse with Raverdy for the benefit of providing data access control without using another dedicated signal line (Kruse, col. 24, ll. 32-36).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
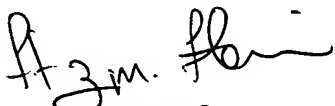
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chun-Kuan (Mike) Lee whose telephone number is (571) 272-0671. The examiner can normally be reached on 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz M. Fleming can be reached on (571) 272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.K.L.
08/16/2006

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8/15/2006